

179413 & 179414

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May 11, 2006

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VIA HAND DELIVERY

The Honorable Charles Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Intrastate Universal Service Fund Implementation Proceeding
Docket No.: 97-239-C

Dear Mr. Terreni:

Enclosed are the original and ten copies each of (1) Answer of Verizon Wireless to Petition of the Office of Regulatory Staff and (2) Motion to Summarily Grant a Portion ORS's Petition, both of which are submitted for filing on behalf of Cellco Partnership d/b/a Verizon Wireless in the above matter. I would appreciate your acknowledging receipt of these documents by date-stamping the extra copy of this letter enclosed and returning it to me via the courier.

By copy of this letter, I am serving all parties of record with a copy of the Answer and Motion and have enclosed a certificate of service to that effect. If you have any questions, or need additional information, please do not hesitate to contact me. With best regards, I am

Sincerely,

WILLOUGHBY & HOEFER, P.A.



Benjamin P. Mustian

BPM/amw

cc: parties of record

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 97-239-C

Re: Intrastate Universal Service Fund)
 Implementation Proceeding)
_____)

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day one (1) copy of each **(1) Answer of Verizon Wireless to Petition of the Office of Regulatory Staff and (2) Motion to Summarily Grant a Portion ORS's Petition** on behalf of Celco Partnership d/b/a Verizon Wireless by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

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Andrea M. Wright

Columbia, South Carolina
This 11th day of May, 2006

179413

BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1997-239-C

RECEIVED
MAY 11 AM 9:34
PUBLIC SERVICE COMMISSION

Re:)
)
) ANSWER OF VERIZON
) WIRELESS TO PETITION
Intrastate Universal Service Fund)
) OF THE OFFICE OF
) REGULATORY STAFF
)
_____)

CELLCO Partnership, d/b/a Verizon Wireless ("Verizon Wireless"), an Intervenor and party of record in the above-captioned docket, by and through its undersigned counsel, pursuant to S.C. Code Ann. Regs. R. 103-837 (1976) and the Notice dated April 4, 2006, issued by the Commission's Chief Administrator and Clerk, hereby answers the allegations contained in the March 17, 2006, Petition for Declaratory Order ("Petition") filed by the Office of Regulatory Staff ("ORS") filed in the above-captioned docket as follows.

ANSWER

FOR A FIRST DEFENSE

1. Each and every allegation of the Petition not hereinafter specifically admitted is denied.

FOR A SECOND DEFENSE

2. As to the first unnumbered Paragraph on pages 1 and 2 of the Petition bearing the heading "Introduction", Verizon Wireless admits the first, second and third sentences. Verizon Wireless is without sufficient information to form a belief as the truth or falsity of the fourth,

fifth and sixth sentences and therefore denies same and demands strict proof. The allegations of the seventh and eighth sentences do not appear to require a response from Verizon Wireless; however, to the extent that these sentences can be read to require a response, same are denied, as Verizon Wireless lacks sufficient information to form a belief as to its truth or falsity. To the extent that any allegation in this paragraph remains unanswered, the same is denied, as Verizon Wireless lacks sufficient information to form a belief as to its truth or falsity.

3. Verizon Wireless admits the first unnumbered paragraph on Page 2 identified bearing the heading “Jurisdiction.”

4. The allegations of Paragraph 1 state conclusions of law, which require no response. To the extent this paragraph seeks to quote, paraphrase or characterize certain sections of the South Carolina Code, Verizon Wireless would crave reference to those codified sections for their specific terms and import. To the extent that any allegation in this paragraph remains unanswered, the same is denied as Verizon Wireless lacks sufficient information to form a belief as to their truth or falsity.

5. The allegations of Paragraph 2, Subparts (I), (III), (IV) and (V), and the portion of Subpart II pertaining to broadband services revenue are denied as Verizon Wireless lacks sufficient information or belief upon which to form an opinion as to their truth or falsity. Verizon Wireless denies the remainder of Subpart (II) of Paragraph 2 pertaining to wireless service revenues and asserts that Order Nos. 2001-419 and 2001-996, among others, in this docket already make it clear that wireless revenues are not to be included in the SC USF. To the extent that any allegations in this paragraph remain unanswered, the same is denied as Verizon Wireless lacks sufficient information to form a belief as to their truth or falsity.

6. Verizon Wireless denies Paragraph 3 as it lacks sufficient information to form a

belief as to its truth or falsity. To the extent Paragraph 3 seeks to quote, paraphrase or characterize certain sections of the South Carolina Code, Verizon Wireless would crave reference to those codified sections for their specific terms and import. To the extent that any allegation in this paragraph remains unanswered, the same is denied as Verizon Wireless lacks sufficient information to form a belief as to their truth or falsity.

7. To the extent Paragraph 4 seeks to quote, paraphrase or characterize certain sections of the South Carolina Code, Verizon Wireless would crave reference to those codified sections for their specific terms and import. Verizon Wireless admits the allegations of the second sentence of Paragraph 4 to the extent that it alleges that this Commission has determined that wireless service revenues are not subject to the universal service surcharge provided for in the orders of the Commission in this docket. Further responding, Verizon Wireless would show that the Commission has expressly and specifically excluded wireless revenues from the operation of the surcharge in Order No. 2001-419 and that, to the extent that any “companies have included these revenues for assessment purposes”, they have done so in spite of knowledge that such revenues are excluded. As to the first, fourth and fifth sentences of Paragraph 4, Verizon Wireless submits that no response thereto is required; however, to the extent these sentences can be read to require such a response, the allegations of same are denied, as Verizon Wireless lacks sufficient information form a belief as to their truth or falsity. Verizon Wireless lacks sufficient information form a belief as to the truth or falsity of the third sentence of Paragraph 4 and therefore denies same.

8. Verizon Wireless denies Paragraph 5 as it lacks sufficient information to form a belief as to the truth or falsity of the allegations contained therein. To the extent this paragraph seeks to quote, paraphrase or characterize certain sections of the South Carolina Code, Verizon

Wireless would crave reference to those codified sections for their specific terms and import. To the extent that any allegation in this paragraph remains unanswered, the same is denied as Verizon Wireless lacks sufficient information to form a belief as to its truth or falsity.

9. Verizon Wireless denies Paragraph 6 as it lacks sufficient information to form a belief as to the truth or falsity of the allegations contained therein. To the extent this paragraph seeks to quote, paraphrase or characterize certain sections of the South Carolina Code, Verizon Wireless would crave reference to those codified sections for their specific terms and import. To the extent that any allegation in this paragraph remains unanswered, the same is denied as Verizon Wireless lacks sufficient information to form a belief as to its truth or falsity.

10. Verizon Wireless denies Paragraph 7 as it lacks sufficient information to form a belief as to the truth or falsity of the allegations contained therein. To the extent this paragraph seeks to quote, paraphrase or characterize certain sections of the South Carolina Code, Verizon Wireless would crave reference to those codified sections for their specific terms and import. To the extent that any allegation in this paragraph remains unanswered, the same is denied as Verizon Wireless lacks sufficient information to form a belief as to its truth or falsity.

11. Paragraph 8 requires no response from Verizon Wireless and to the extent that such a response may be required, the same is denied.

WHEREFORE, having fully set forth its Answer, Verizon Wireless requests that the Commission issue an order in response to the Petition of ORS that is consistent with the foregoing.

Respectfully Submitted,

WILLOUGHBY & HOEFER, P.A.

By 

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Attorneys for Verizon Wireless

Columbia, South Carolina
This 11th day of May, 2006